



General Assembly

January Session, 2015

Substitute Bill No. 6770



AN ACT CONCERNING MEDICAID COVERAGE FOR OVER-THE-COUNTER DRUGS, MEDICAID BENEFIT CARDS AND NOTICE OF REGULATIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17b-280a of the general statutes is repealed and
2 the following is substituted in lieu thereof (*Effective July 1, 2015*):

3 [Notwithstanding any provision of the general statutes, no] No
4 payment shall be made under a medical assistance program
5 administered by the Department of Social Services for over-the-counter
6 [drugs] medications, except for (1) the medical assistance program
7 established pursuant to section 17b-256, (2) insulin and insulin
8 syringes, (3) nutritional supplements for individuals who are required
9 to be tube fed or who cannot safely ingest nutrition in any other form,
10 and as may be required by federal law, (4) [effective January 1, 2012,]
11 smoking cessation [drugs] medications as provided in section 17b-
12 278a, (5) over-the-counter medications determined by the
13 Commissioner of Social Services to be medically necessary or cost
14 effective, and [(5)] (6) over-the-counter [drugs] medications that are
15 required to be covered pursuant to 42 CFR 440.347, including [drugs]
16 medications for individuals with specified diagnoses that have a rating
17 of "A" or "B" in the current recommendations of the United States
18 Preventive Services Task Force, provided the Department of Social
19 Services may also pay for such over-the-counter [drugs] medications
20 under a medical assistance program or portion thereof that is not

21 subject to 42 CFR 440.347. [On or before August 1, 2011, the
 22 Commissioner of Social Services shall provide notice to pharmacists
 23 who provide services to beneficiaries of a medical assistance program
 24 administered by the department that such pharmacists may bill the
 25 department for supplies utilized in the treatment of diabetes using the
 26 durable medical equipment, medical surgical supply fee schedule. The
 27 commissioner shall provide a copy of such notice to the joint standing
 28 committees of the General Assembly having cognizance of matters
 29 relating to human services and appropriations and the budgets of state
 30 agencies.]

31 Sec. 2. Section 17b-10a of the general statutes is repealed and the
 32 following is substituted in lieu thereof (*Effective July 1, 2015*):

33 The Commissioner of Social Services, pursuant to section 17b-10,
 34 may implement policies and procedures necessary to administer
 35 section 17b-197, subsection (d) of section 17b-266, section 17b-280a, as
 36 amended by this act, and subsection (a) of section 17b-295, while in the
 37 process of adopting such policies and procedures as regulation,
 38 provided the commissioner prints notice of intent to adopt regulations
 39 [in the Connecticut Law Journal] on the department's Internet web site
 40 and the eRegulations System not later than twenty days after the date
 41 of implementation. Policies and procedures implemented pursuant to
 42 this section shall be valid until the time final regulations are adopted.

43 Sec. 3. Section 17b-261t of the general statutes is repealed. (*Effective*
 44 *from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2015</i>	17b-280a
Sec. 2	<i>July 1, 2015</i>	17b-10a
Sec. 3	<i>from passage</i>	Repealer section

Statement of Legislative Commissioners:

Throughout Section 1, "drugs" was changed to "medications" for internal consistency; in Section 2, ", as amended by this act," was added after "section 17b-280a" for accuracy and clarity.

HS *Joint Favorable Subst. -LCO*